

ORDINANCE NUMBER 23-04

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE MAPLE KNOLL PLANNED UNIT DEVELOPMENT DISTRICT AND THE UNIFIED DEVELOPMENT ORIANCE

This is an ordinance to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the “Unified Development Ordinance”), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield (the “City”) and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Common Council enacted Ordinance No. 04-02, Maple Knoll Planned Unit Development District on February 9, 2004;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered **Petition No. 2305-PUD-04** (the “Petition”), requesting an amendment to the Unified Development Ordinance with regard to the subject real estate more particularly described in **Exhibit A**, attached hereto (the “Real Estate”); and

WHEREAS, the Commission forwarded the **Petition No. 2305-PUD-04** to the Common Council of the City of Westfield, Hamilton County, Indiana (the “Common Council”) with a _____ recommendation (XX-XX) in accordance with Indiana Code § 36-7-4-608, as required by the Indiana Code § 36-7-4-1505; and

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2023; and

WHEREAS, the Common Council is subject to the provisions of the Indiana Code § 36-7-4-1512 concerning any action on this request; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Maple Knoll PUD Ordinance and Unified Development Ordinance are hereby amended as follows:

Section 1. **Applicability of Ordinance**

- 1.1 This Ordinance shall amend the Maple Knoll PUD Ordinance, as applicable to the Real Estate. Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) the Maple Knoll PUD Ordinance; and (iii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, or expressly made inapplicable by this Ordinance or the Maple Knoll PUD Ordinance, as amended.
- 1.2 Chapter (“Chapter”) and Article (“Article”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.3 All provisions and representations of (i) the Unified Development Ordinance or (ii) the Maple Knoll PUD Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Sign Standards**

- 2.1 Sign Standards. The standards set forth in Section 14 of the Maple Knoll PUD (Ord. 04-02) shall not apply to the Real Estate, rather, the standards of Article 6.17 (Sign Standards) of the City’s Unified Development Ordinance shall apply to the Real Estate, as applicable, unless as otherwise modified below:
 - A. Article 6.17(H), Individual Nonresidential Signs, of the City’s Unified Development Ordinance shall apply to the Real Estate.

ALL OF WHICH IS HEREBY ORDAINED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS ____ DAY OF _____, 2023.

**WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA**

Voting For

Voting Against

Abstain

James Edwards

James Edwards

James Edwards

Scott Frei

Scott Frei

Scott Frei

Jake Gilbert

Jake Gilbert

Jake Gilbert

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy Spoljaric

Cindy Spoljaric

Cindy Spoljaric

Scott Willis

Scott Willis

Scott Willis

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that ORDINANCE 23-04 was delivered to the Mayor of Westfield on the _____ day of _____, 2023, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 23-04** I hereby VETO **ORDINANCE 23-04**

this _____ day of _____,
2023.

this _____ day of _____,
2023.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Caleb Ernest

Prepared by: Caleb Ernest

EXHIBITS

EXHIBIT A Real Estate – Legal Description

EXHIBIT A